

CRAWFORD NATIONAL FISH HATCHERY CONVEYANCE ACT

JULY 24, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3287]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3287) to direct the Secretary of the Interior to convey the Crawford National Fish Hatchery to the city of Crawford, Nebraska, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Crawford National Fish Hatchery Conveyance Act”.

SEC. 2. CONVEYANCE OF CRAWFORD NATIONAL FISH HATCHERY TO THE CITY OF CRAWFORD, NEBRASKA.

(a) CONVEYANCE REQUIREMENT.—Within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the city of Crawford, Nebraska, without reimbursement, all right, title, and interest of the United States in and to the property described in subsection (b), for use by the city for a city park and other public recreational purposes.

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) is the property known as the Crawford National Fish Hatchery, located in the city of Crawford, Nebraska, consisting of 5.95 acres (more or less), and all improvements and related personal property under the control of the Secretary that is located on that property, including buildings, structures, equipment, and all easements, leases, and water rights relating to that property.

(c) USE AND REVERSIONARY INTEREST.—If any of the property conveyed to the city of Crawford, Nebraska, under this section is used by the city for any purpose other than the uses authorized under subsection (a), all right, title, and interest in and to all property conveyed under this section shall revert to the United States. The city of Crawford, Nebraska, shall ensure that all property that reverts to the United States under this subsection is in substantially the same or better condition as at the time of conveyance to the city.

PURPOSE OF THE BILL

The purpose of H.R. 3287 is to direct the Secretary of the Interior to convey the Crawford National Fish Hatchery to the city of Crawford, Nebraska.

BACKGROUND AND NEED FOR LEGISLATION

The Crawford National Fish Hatchery (NFH) is located in the northwest corner of the State in Dawes County, inside the city limits of Crawford, Nebraska.

The Hatchery property consists of 5.95 acres. The history of this property started in 1906 when Congress, by the Act of June 25, 1906, granted a 134.4-acre tract of land to the Village of Crawford for park and water power purposes. The Act further stipulated that if the Village of Crawford stopped using the land for these purposes, then the title would revert to the United States.

On September 30, 1927, the City Council of Crawford approved a resolution that donated 4.75 acres to the United States (Department of Commerce, Bureau of Fisheries) to be used as a site for the Hatchery. On April 27, 1954, the city added 1.2 acres to the original 4.7-acre tract. In both cases, those lands donated to the United States were included within the original conveyance to the Village of Crawford in 1906.

In 1929, Congress officially established the site as a national fish hatchery. For 42 years, Crawford NFH was a fish production facility. The fish produced at Crawford were used to stock Federal, State, and tribal waters in the States of Montana, Nebraska, North Dakota, South Dakota and Wyoming. The fish species reared and stocked included bluegill, brook and brown trout, channel catfish, largemouth bass and rainbow trout.

From 1971 to 1983, the Hatchery's fish stocking program was reduced and its primary focus was shifted to fish egg production. As a broodstock hatchery, Crawford NFH produced both brook and brown trout eggs for shipment to other States and other Federal hatcheries. In 1979, a typical year, Crawford shipped brown trout eggs to Arizona, Arkansas, Idaho, Maine, Michigan, New York, Ohio and South Dakota. It also shipped brook trout eggs to Arizona, Minnesota, Montana, New Mexico, Utah, Vermont, West Virginia, Wisconsin and Mexico.

In 1983, Congress terminated funding for the Hatchery because it felt that the facility was no longer essential to the U.S. Fish and Wildlife Service's (FWS) nationwide stocking program. At that time, FWS and the State of Nebraska entered into a 30-year Memorandum of Agreement (MOA) whereby the State Game and Parks Commission assumed operation of the Hatchery for trout production services. In April 1991, the State of Nebraska exercised its option by advising FWS that it intended to terminate the MOA when the State's new Calamus Hatchery became operational. On May 10, 1991, the Crawford NFH was severely damaged from flooding of the White River. The State of Nebraska terminated the MOA effective September 30, 1991. There is currently no operational activity at the Crawford NFH, nor is any anticipated in the future. In fact, it has been estimated that it would cost a signifi-

cant amount of money to repair the serious damage caused by the flooding and the five years of not maintaining the buildings.

The Hatchery consists of a fish production office, a brick-enclosed spring water supply building, a fish food storage building, a garage/shop/service building, and two residences. In addition, there were seven gravel-lined fish rearing ponds that were completely filled by the 1991 flood. The Hatchery also has a 13,846-foot long underground pipeline running from the spring to the fish production ponds. This pipeline contains asbestos material and FWS has decided to abandon the pipeline in place.

While the Clinton Administration did not include the Crawford NFH on its list of those to be transferred to the States, FWS has indicated that it supports this transfer. This facility would not qualify for the three years of transitional assistance that FWS proposed in its fiscal year 1996 budget request.

COMMITTEE ACTION

H.R. 3287 was introduced on April 23, 1996, by Congressman Bill Barrett (R-NE). The bill was referred to the Committee on Resources and within the Committee to the Subcommittee on Fisheries, Wildlife and Oceans.

On June 13, 1996, the Subcommittee held a hearing on H.R. 3287. Testifying in support of the bill were Congressman Bill Barrett and Mr. William Knapp, Chief, Division of Fish Hatcheries, FWS. In his testimony, Mr. Knapp said that "the Service and the city of Crawford, Nebraska * * * mutually agree that all parties will benefit from the conveyance of ownership of [the Crawford NFH]."

On June 27, 1996, the Subcommittee on Fisheries, Wildlife and Oceans met to mark up H.R. 3287. At that time, Congressman Gerry Studds (D-MA) offered an amendment to clarify the reversionary language in section 2 of the bill. The amendment was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the Full Committee on Resources by voice vote.

On July 17, 1996, the Committee on Resources met to consider H.R. 3287. There were no amendments and the Committee ordered the bill reported to the House of Representatives by voice vote, in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This bill may be cited as the "Crawford National Fish Hatchery Conveyance Act".

Section 2. Conveyance of Crawford National Fish Hatchery to the city of Crawford, Nebraska

Section 2(a) directs the Secretary of the Interior to convey to the city of Crawford, Nebraska, within 180 days and without reimbursement, all right, title, and interest of the United States in and to the Hatchery property for use by the city for a city park and other public recreational purposes.

Section 2(b) states that the fish hatchery is located in the city of Crawford, Nebraska, consists of 5.9 acres, and includes buildings,

structures, equipment, and all easements, leases, and water rights relating to that property.

Section 2(c) mandates that the property shall revert to the United States if the city of Crawford decides to no longer use the property for public recreational purposes and requires the State to ensure that the property is in substantially the same or better condition at the time of transfer.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 3287 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 3287. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(1)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 3287 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3287.

3. With respect to the requirement of clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3287 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
 CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
 House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 3287, the Crawford National Fish Hatchery Conveyance Act, as ordered reported by the House Committee on Resources on July 17, 1996. We expect that implementing this bill would have no significant impact on the Federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3287 would direct the Secretary of the Interior to convey to the city of Crawford, Nebraska, all land and related property located at the Crawford National Fish Hatchery, without reimbursement. The city would use the six-acre hatchery site, which is no longer in operation, as a park.

H.R. 3287 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would impose no costs on State, local, or tribal governments. Any costs incurred by the city of Crawford to establish and operate a park on this site would be incurred voluntarily.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis (for Federal costs) and Marjorie Miller (for the State and local impact).

Sincerely,

JUNE E. O'NEILL, *Director.*

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 3287 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 3287 would make no changes in existing law.

